

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

H.J. MEYERS & CO., INC.

Chapter 7
Case No. 99-21107

Debtor.

**STIPULATION AND ORDER ALLOWING PROOF OF CLAIM #340
FILED BY HERSCHEL S. JACKSON, JR. IN THE REDUCED AMOUNT OF \$255,660**

WHEREAS, H.J. Meyers & Co., Inc. ("Debtor") is a Chapter 7 Debtor before this Court by reason of an involuntary petition having been filed on April 12, 1999 and Lucien A. Morin, II, has been appointed to act as the Chapter 7 Trustee; and

WHEREAS, Herschel S. Jackson, Jr. ("Claimant") initially filed claim #245 on November 15, 1999 asserting \$250,000 due; and

WHEREAS, by claim filed February 11, 2000, the Claimant amended claim #245 by claim designated as #340 in the amount \$4,227,549 ("Claim"); and

WHEREAS, the Trustee has filed an objection to the Claim which objection was initially returnable on April 18, 2007 and has been adjourned to April 25, 2007; and

WHEREAS, the Claimant has agreed to withdraw that portion of the Claim against the Debtor regarding punitive damages, and


WHEREAS, Claimant has provided further documentation with regard to the Claim and in response to the objection filed by the Trustee, and

WHEREAS, the parties have now negotiated a settlement of the claim whereby the Claimant has agreed to reduce the Claim to an unsecured amount of \$255,660, and

WHEREAS, the Trustee has reviewed the facts and circumstances relevant to the reduced Claim and is agreeable to allow Claim #340 in the unsecured amount of \$255,660.


NOW THEREFORE, it is hereby stipulated and agreed that Claim #340 shall be allowed as an unsecured claim in the amount of \$255,660.

Dated: April 18, 2006



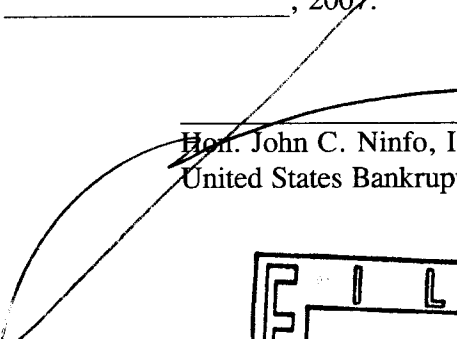
Lucien A. Morin, II, Esq.
Chapter 7 Trustee
25 East Main Street
Rochester, NY 14614
Telephone: (585) 546-2500

Dated: April 19, 2007



Charles C. Mihalek, P.S.C.
By: Steven M. McCauley, Esq.
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SO ORDERED, this _____ day of _____, 2007.



Hon. John C. Ninfo, II
United States Bankruptcy Judge

4/24/07

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